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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,504	12/27/2000	Guido Maffezzoni	ADAPP141	9483
25920	7590	11/16/2004	EXAMINER	
MARTINE & PENILLA, LLP 710 LAKEWAY DRIVE SUITE 170 SUNNYVALE, CA 94085			HAILU, TADESSE	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/752,504	GUIDO MAFFEZZONI	
	Examiner	Art Unit	
	Tadesse Hailu	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23, 35 and 36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23, 35 and 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the AMENDMENT submitted/entered on 6/28/2004.
2. The pending claims 1-23, and 35-36 are examined herein as follows:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 8-18, and 20-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Symbios Inc., PCI SCSI Device Management system SDMS 4.0, User's Guide Version 7.0, 1998.

Symbios discloses PCI SCSI Device Management System. Specifically, the claimed subject matter of the current application is described and illustrated in chapter 5 (Device Drivers for Windows NT 3.5x/4.x).

With regard to claim 1:

As per "A method for managing a configuration of a host adapter for a computer, the host adapter allowing communication between the computer and a peripheral device connected to the host adapter," (see pages 1-2, and 21).

As per "generating a graphical user interface, the graphical user interface being configured to allow a user to access configuration settings of the host adapter;" (see page 28).

As per “managing the configuration settings of the host adapter by way of the graphical user interface to create configuration changes, the configuration changes being saved to a file in a storage location;” (see pages 28-29 and 32).

As per “rebooting the computer;” (page 34).

As per “reading the configuration changes saved to the file in the storage location, the reading being performed during the rebooting of the computer;” (pages 26).

As per “writing the configuration changes to a nonvolatile memory of the host adapter of the computer;” (pages 26, 27 and 34).

As per “activating the configuration changes for the host adapter during the rebooting of the computer;” (pages 28-29 and 32).

As per “wherein the method is implemented in and integrated with the operating system of the computer.” (see pages 1-2, and 6, and 24).

With regard to claim 2:

As per “... informing the user that the setting changes will not be available until the rebooting of the computer is complete (page 34).

As per “prompting the user to execute a reboot command.” (pages 24 and 34).

With regard to claim 3:

As per “...,wherein the managing the configuration of the host adapter includes: determining what peripheral devices are connected to the host adapter.” (pages 32-33).

With regard to claim 8:

As per “... , wherein the host adapter is a SCSI host adapter (pages 28-29).

With regard to claim 9:

As per "... , wherein a system BIOS of the computer reads the configuration changes saved to the file in the storage location." (pages 29-30).

With regard to claim 10:

As per "... , wherein the storage location is defined in storage associated with one of a hard drive of the computer and a memory chip." (page 32).

With regard to claim 11:

As per "... , wherein the system BIOS writes the configuration changes to an EEPROM of the host adapter." (pages 26 and 28).

With regard to claim 12:

As per "A method for accessing and managing a configuration of a host adapter for a computer, the host adapter providing communication between the computer and a peripheral device connected to the computer," (see pages 1-2, and 21).

As per "generating a graphical user interface;" (pages 24, 26 and 32).

As per "accessing and managing the configuration of the host adapter by way of the graphical user interface, the accessing and managing of the configuration including making changes to the configuration;" (pages 24, 26 and 32).

As per "saving the changes to the configuration to a registry key;" (pages 13-15, 35 and 38).

As per "receiving a command to reboot the computer;" (page 34).

As per "executing the command to reboot the computer and initiating a reboot operation;" (pages 27 and 34).

As per “reading the changes to the configuration saved to the registry key during the reboot operation;” (pages 13-15, 28-29, and 32).

As per “writing the changes to the configuration to a nonvolatile memory of the host adapter of the computer;” (pages 26, 27 and 34)

As per “wherein the method is implemented in and integrated with the operating system of the computer.” (pages 1-2, 6, and 24).

With regard to claim 13:

As per “... , wherein the initiating of the reboot operation includes shutting down all applications and all system devices.” (pages 24, and 34).

With regard to claim 14:

As per “... , wherein the reading of the changes to the configuration saved to the registry key is by a device driver at Ring 0 after the shutting down of all applications.” (pages 24, and 34).

With regard to claim 15:

As per “... , wherein the writing of the configuration changes to the nonvolatile memory of the host adapter of the computer is by the device driver at Ring 0 after the reading of the changes to the configuration saved to the registry key.” (pages 15-17, 31-32, and 24-28).

With regard to claim 16:

As per “... , wherein the reboot operation includes shutting down of an operating system after the writing of the configuration changes to the nonvolatile memory of the host adapter and then an executing of a boot sequence by a system BIOS.” (pages 15-17, 31-32, and 24-28).

With regard to claim 17:

As per "... reading the configuration of the host adapter with the configuration changes by the system BIOS during the boot sequence;" (pages 15-17, 31-32 and 24-28).

As per "initializing the computer and the host adapter in accordance with the configuration of the host adapter with the configuration changes." (pages 15-17, 31-32 and 24-28).

With regard to claim 18:

As per "... , wherein the host adapter is a SCSI host adapter." (page 32).

With regard to claim 20:

As per "A method for enabling graphical user interface driven modifications of settings in an EEPROM associated with a SCSI host adapter connected to a computer," (pages 26-28).

As per "displaying a graphical user interface, the graphical user interface providing a list of selectable configuration options;" (pages 26-28).

As per "receiving user selections of change options provided by the list of selectable configuration options;" (pages 26-29).

As per "writing the user selections to a storage location;" (pages 26).

As per "initiating a reboot of the computer;" (pages 24 and 34).

As per "writing the user selections from the storage location to the EEPROM;" (pages 26-28).

As per "completing the rebooting, the SCSI host adapter being configured to operate in accordance with the user selections;" (pages 24 and 34).

As per "wherein the method is implemented in and integrated with an operating system of the computer." (pages 1-2, 6 and 24).

With regard to claim 21:

As per "... , wherein the graphical user interface includes selections to initiate diagnostic testing of the SCSI host adapter." (pages 18-22 and 38).

With regard to claim 22:

As per "... , wherein the storage location is defined in storage associated with one of a hard drive of the computer and a memory chip." (pages 26-32).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a), which forms the basis for all obviousness rejections, set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-7, 19, 23, and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Symbios Inc., PCI SCSI Device Management system SDMS 4.0, User's Guide Version 7.0 in view of SunTM StorEdgeTM A5000 Installation Guide, for Windows NT Server 4.0

ymbios describes menu or selectable lists of representation of host adapters in a GUI, but Symbios does not illustrate or describe an icon representation of a host adapter (a host adapter icon) as specified in claim 4. Also, while Symbios discloses providing access to the host adapter and peripheral devices attached to the host adapter (pages 26-34) , but Symbios doe not expressly illustrate or describe selecting the host adapter icon , wherein selecting the host adapter icon being configured to provide access to the host adapter and peripheral devices connected to the host adapter as specified in claim 5. Furthermore, while Symbios describes list or menu for

accessing the diagnostic tools for managing the configuration of the host adapter (pages 26-34), but, again, Symbios does not expressly describe a host adapter icon to provide access to diagnostic tools as specified in claim 7. Furthermore, Symbios describes “informing the user that the configuration changes will not be available until the reboot operation is complete;” (pages 24 and 34) and “prompting the user to select the command to reboot the computer” (pages 24 and 34); in addition, while Symbios describes generating a menu or selectable list in the graphical user interface (page 28) to provide a user access to the host adapter and any device attached to the adapter, but Symbios does not illustrate or describe the host adapter icon as specified in claim 19. Again while Symbios discloses a graphical user interface is displayed following a selection of a SCSI host adapter list or menu (pages 27 and 32), but Symbios does not illustrate or describe the host adapter icon as specified in claim 23.

As shown in Symbios, NTCONFIG Utility is a menu driven utility including menu bars, scroll bar manipulated with mouse cursor (chapter 5, pages 32-33). Symbios also discloses device selection menu (chapter 5, page 32), wherein the devices are represented as selectable lists, not icons as claimed in claims 4-7, 19, 23, 35 and 36. However, SunTM StorEdgeTM A5000 Installation Guide, for Windows NT Server 4.0 (Sun) discloses these shortcomings. Sun discloses, among other things, an icon representation of devices (SCSI host adapters) (see Sun pages 4-9), Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use iconic representation in place of list or textual representation because user will perform better by using iconic interaction than textual or selectable list interface.

Symbios in view of Sun further discloses access to any device connected to the host adapter includes providing for configuration and management of any device connected to the host adapter as specified in claims 35 and 36 (Symbios, pages 26-34).

Response to Arguments

5. Applicant's arguments filed 6/28/2004 have been fully considered but they are not persuasive. Applicant states that "the Symbios reference, in relevant sections, teaches a utility program for configuration and management of a Symbios SCSI host adapter." The applicant further states "The utility program works in conjunction with the Symbios Windows NT Flint driver to provide limited impact on the system."

The applicant also argues that "the Symbios reference does not teach a method as claimed by Applicant that is implemented in and integrated with the operating system." The Examiner disagrees. The Symbios reference is installed and works in conjunction with Windows NT Operating system. The Symbios driver is bundled in Windows NT 4 (pages 1-2, 6, and 24).

The Applicant further argues that "the Symbios reference does not teach each and every element as set forth in Applicant's independent claims 1, 12, and 20, either expressly or inherently." The Examiner disagrees. The reference of record teaches each and every element as set forth in Applicant's independent claims 1, 12, and 20 (see claims rejection above).

The Applicant also argues that "the reference fails to teach diagnostic tools and diagnostic testing as described above in reference to both claims 7 and 21." Again, the Examiner disagrees. The references of record provide a SCSI Tools, a mechanism for examining (or

diagnostic testing) host adapters and SCSI devices within Windows NT environment (see page 38).

The Applicant also argues that “nothing in the reference teaches or suggests the ability to effect management and /or configuration of the peripheral device itself as claimed by Applicant.” Again, the Examiner disagrees. Symbios reference describes NTConfig Utility installed within NT operating system, will enable users to alter values and change the selected configuration parameters of the SCSI host adapters (see page 24).

CONCLUSION

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 273-4051. The Examiner can normally be reached on M-F from 10:00 - 630 ET. If attempts to reach the


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Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (571) 273-4048 Art Unit 2173.

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu

November 9, 2004



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173